

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEANA PATTISON,

CASE NO. C17-1454JLR

Plaintiff,

MINUTE ORDER

V.

OMNITRITION
INTERNATIONAL, INC., et al.,

Defendants.

The following minute order is made by the direction of the court, the Honorable

James L. Robart:

Defendants removed this action from King County Superior Court on September 25, 2017. (Not. of Rem. (Dkt. # 1).) Currently, there are five pending motions.

Defendants Barbara Daley, Roger M. Daley, and Omnitrition International, Inc. (collectively, “Moving Defendants”) filed a motion to dismiss for failure to state a claim. (10/2/2017 MTD (Dkt. # 10).) Plaintiff Deana Pattison then simultaneously filed a

1 motion to remand (MTR (Dkt. # 12)) and a motion for relief from the deadline to respond
2 to the motion to dismiss (Mot. (Dkt. # 15)). A few days later, the Daleys filed a motion
3 for leave to amend the notice of removal. (MTA (Dkt. # 24).) Most recently, Defendant
4 Jennifer Van Vynck filed a separate motion to dismiss for failure to state a claim.
5 (10/23/2017 MTD (Dkt. # 33).)

6 These motions concern a number of complex, overlapping issues that may affect
7 which parties are properly before the court and subsequently, the court's jurisdiction to
8 hear this case. (*See generally, e.g.*, MTR; MTR Resp. (Dkt. # 28); 10/23/2017 MTD.)
9 Therefore, the court instructs the parties not to file any additional motions until the court
10 can decide the currently pending motions on the docket.

11 The court will consider the five motions in the following order. Jurisdiction is a
12 threshold issue, and so the court will first rule on Ms. Pattison's motion to remand, as
13 well as the Daleys' motion for leave to amend the notice of removal. The court will then,
14 if necessary, consider the Moving Defendants' motion to dismiss in conjunction with Ms.
15 Pattison's motion for relief from the filing deadline. Lastly, the court will rule on Ms.
16 Van Vynck's motion to dismiss.

17 Given the sequence in which the court will address the motions, parties are not
18 required to brief the later motions until necessary. Accordingly, parties should complete
19 briefing on Ms. Pattison's motion to remand and the Daleys' motion for leave to amend
20 the notice of removal, as those are the first motions that the court will consider.
21 However, parties do not need to file further briefing for Moving Defendants' motion to
22 dismiss until the court has ruled on the motion to remand and the motion for leave to

1 amend.¹ Likewise, parties do not need to continue briefing Ms. Van Vynck's motion to
2 dismiss until the court has ruled on Moving Defendants' motion to dismiss and Ms.
3 Pattison's motion for relief from the filing deadline. If necessary, the court will issue a
4 revised briefing schedule following its ruling on Ms. Pattison's motion to remand and the
5 Daleys' motion to amend the notice of removal.

6 Filed and entered this 24th day of October, 2017.

7 WILLIAM M. MCCOOL
8 Clerk of Court

9 s/ Ashleigh Drecktrah
10 Deputy Clerk

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22 ¹ The court recognizes that parties have already completed briefing on Ms. Pattison's motion for relief. (See Mot. Resp. (Dkt. # 26); Mot. Reply (Dkt. # 27).)